

# United States Department of Agriculture

## FOOD AND DRUG ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

19076-19150

[Approved by the Secretary of Agriculture, Washington, D. C., August 1, 1932]

**19076. Adulteration of tomato catsup. U. S. v. 50 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26884. I. S. No. 22721. S. No. 5077.)**

Samples of canned tomato catsup from the shipment herein described having been found to contain excessive mold, the Secretary of Agriculture reported the matter to the United States attorney for the District of Montana.

On or about September 3, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 50 cases of tomato catsup at Great Falls, Mont., alleging that the article had been shipped by the Pleasant Grove Canning Co., from Pleasant Grove, Utah, on or about July 22, 1931, and had been transported from the State of Utah into the State of Montana, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Cases and cans) "Pleasant Grove Brand made from whole tomatoes and trimmings \* \* \* Quality guaranteed. Packed by Pleasant Grove Canning Co., Pleasant Grove—Orem, Utah."

Adulteration was alleged in the libel for the reason that the product consisted in part of a decomposed vegetable substance.

On December 15, 1931, no claimant having appeared, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19077. Adulteration of butter. U. S. v. 25 Tubs of Butter. Consent decree of condemnation. Product released under bond. (F. & D. No. 27828. I. S. Nos. 44960, 44972. S. No. 5423.)**

Examination of butter from the shipment herein described having shown that the samples contained less than 80 per cent by weight of milk fat, the standard provided by Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Iowa.

On October 22, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 25 tubs of butter at Sioux City, Iowa, alleging that the article had been shipped by the Ainsworth Cooperative Creamery, from Ainsworth, Nebr., on or about October 7, 1931, and had been transported from the State of Nebraska into the State of Iowa, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a product containing less than 80 per cent by weight of milk fat had been substituted for butter, which should contain 80 per cent of milk fat as provided by the act of Congress of March 4, 1923.

On November 7, 1931, the Ainsworth Farmers Cooperative Creamery Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the